

Dated: December 8, 2020



A handwritten signature in black ink, reading "Brenda K. Martin", is positioned above the judge's name.

Brenda K. Martin, Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

In re:

ROBERT THOMAS BACK and  
LINDA MARIE BACK,

Debtors.

In Proceedings under Chapter 11

Case No. 2:19-bk-13684-BKM

**ORDER GRANTING THE UNITED  
STATES TRUSTEE'S MOTION AND  
REMOVING THE DEBTORS-IN-  
POSSESSION PURSUANT TO 11 U.S.C.  
§ 1185**

THIS MATTER came before the Court pursuant to the United States Trustee for the District of Arizona's (the "UST") expedited *Motion to Remove the Debtors-in-Possession pursuant to 11 U.S.C. § 1185, or in the Alternative, Motion to Convert or Dismiss Case with Prejudice* (the "**Motion**") filed in the above captioned debtor's ("**Debtors**") case filed on November 16, 2020 and heard on December 2, 2020 at 11:00 a.m. (the "**December 2nd Hearing**"). See ECF Nos. 208, 209, and 219, respectively. Debtors filed their *Response* on November 30, 2020. See ECF No. 218.

At the December 2nd Hearing, the Subchapter V Trustee, Lynton Kotzin ("**Mr. Kotzin**") and the counsels for the Debtors and the UST presented their positions regarding the Motion to the Court. The Court placed her findings and ruling on the record, which included finding that cause existed to remove both Debtors as debtors-in-possession and that harm to estate occurred because of Mr. Back's actions and appointing Mr. Kotzin as the trustee.

1 Pursuant to the December 2nd Hearing, the record of this chapter 11 case, and good cause  
2 appearing,

3 **IT IS ORDERED** that Mr. and Mrs. Back are removed as debtors-in-possession pursuant  
4 to 11 U.S.C. § 1185; and

5 **IT IS FURTHER ORDERED** that Mr. Kotzin is appointed as full trustee with powers  
6 as specified in 11 U.S.C. § 1183, including § 1183(b)(5).

7 **SIGNED AND DATED ABOVE**  
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